

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Application of: Chao et al.

Group Art Unit: 3623

Serial No.: 10/797,213

Examiner: Unassigned

Filed: March 10, 2004

Docket No.: 252011-1990

For: System and Method for Capacity Management

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This information disclosure statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, and specifically:

- ☒ under 37 CFR 1.97(b), or  
(within Three months of filing national application; or date of entry of international application; or before  
mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:  
☐ Statement Under 37 C.F.R. 1.97(e), or  
☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before the final office action or notice of allowance, whichever  
occurs first)
- ☐ under 37 CFR 1.97(d) together with a:  
☐ Statement under 37 CFR 1.97(e), and  
☐ a \$180.00 petition fee set forth in 37 CFR 1.17(p).  
(Filed after final office action or notice of allowance, whichever occurs first, but before payment of the  
issue fee)

Enclosed is a check in the amount of \$0.

Enclosed is Credit Card Payment Form (PTO-2038) in the amount of \$180.00.

Please charge \$0 to deposit account 20-0778. At any time during the pendency of this application, please charge any  
fees required to Deposit Account 20-0778 pursuant to 37 CFR 1.25. The Commissioner is hereby requested to credit any  
overpayment to Deposit Account No. 20-0778.

- ☒ Applicant(s) submit herewith *Form PTO 1449A - Information Disclosure Statement by Applicant* together with copies  
(where required) of patents, publications or other information of which applicant(s) are aware, which applicant(s)  
believe(s) may or may not be material to the examination of this application and for which there may be a duty to disclose  
in accordance with 37 CFR 1.56. As required by 37 C.F.R. § 1.98(a), a legible copy of each document is provided.
- ☐ A concise explanation of the relevance of foreign language patents, foreign language publications and  
other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in  
37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent  
is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English  
language version of the search report or action which indicates the degree of relevance found by the foreign office is listed  
on the form PTO 1449 and is enclosed herewith.

The following rights are reserved by the Applicant(s): the right to establish the patentability of the claimed invention over any of the listed documents should they be applied as reference, and/or the right to prove that some of these documents may not be prior art, and/or the right to prove that some of these documents may not be enabling for the teachings they purport to offer.

This statement should not be construed as a representation that an exhaustive search has been made, or that information more material to the examination of the present application does not exist. Any statements or identifications regarding the relevance of any portion(s) of cited references should not be construed as a representation that the most relevant portion(s) have been identified, and the absence of such statements or identifications should not be construed as representations that there are no relevant portion(s). The Examiner is specifically requested not to rely solely on the materials submitted herewith. The Examiner is requested to conduct an independent and thorough review of the documents, and to form independent opinions as to their significance.

It is requested that the information disclosed herein be made of record in this application and that the Examiner initial and return a copy of the enclosed PTO-1449 to indicate the documents have been considered.

Respectfully Submitted,

THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.

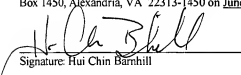
By:

  
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**CERTIFIED MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as "First Class Mail," in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 23, 2005.

  
Signature: Hui Chin Barnhill



Form PTB-1449

# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Attorney Docket No.

252011-1990

Serial No.

10/797,213

Applicant

Chao et al.

Filing Date

March 10, 2004

Group

3623

## U.S. PATENT DOCUMENTS

Examiner Initials	Item	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
/N.K./	A	6,571,391 B1	05/27/03	Acharya et al.	725	87	
	B						
	C						
	D						
	E						
	F						
	G						
	H						
	I						
	J						
	K						

## FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
	L						
	M						
	N						
	O						

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

P	Taiwan Patent Office Action
Q	
R	

\* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

EXAMINER'S SIGNATURE:

/Neil Kardos/

DATE CONSIDERED:

03/27/2008